Please find below and/or attached an Office communication concerning this application or proceeding.

<table>
<tr>
<td rowspan="2">Office Action Summary</td>
<td>Application No.</td>
<td>Applicant(s)</td>
</tr>
<tr>
<td>10/083,390</td>
<td>BAILEY ET AL.</td>
</tr>
<tr>
<td></td>
<td>Examiner</td>
<td>Art Unit</td>
</tr>
<tr>
<td></td>
<td>Joshua Joo</td>
<td>2154</td>
</tr>
</table>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 February 2002</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-10</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-10</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>05/28/2002</u>.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

1.   Claims 1-10 are presented for examination.

2.   Claims 1-10 are rejected.

Double Patenting

3.   The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29   · USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington,* 418 F.2d 528, 163 USPQ 644 (CCPA 1969).
       A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).
       Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

4.   Claims 1-10 are rejected under the judicially created doctrine of obviousness-type

double patenting as being unpatentable over claims 1-10 of U.S. Patent No. #6,598,144.

Although the conflicting claims are not identical, they are not patentably distinct from each other

because both the instant application and the Patent #6,598,144 disclose of an operating system

resource configured to generate work notifications and a host channel adapter configured for

servicing the work notifications.

5.   As per claims 1 and 6, the generating of a work request, loading a unique translation

map entry having the corresponding mapping value into an address translator, the address

translator configured for controlling the memory access to a physical address space assigned

for access to a host channel adaptor, and outputting by the address translator a work

notification, specifying a prescribed virtual destination address within the prescribed virtual

address space, to a corresponding mapped physical destination address within the mapped

physical address spaced based on the unique translation map entry, the host channel adaptor

configured for detecting the work notification at the mapped physical destination address are all

common subjects with claims 1 and 6 of Patent #6,598,144.

6.   The difference between claims 1 and 6, and claims 1 and 6 of Patent #6,598,144 is that

the work notification is generated from a consumer resource provider on behalf of a consumer

process, where in Patent #6,598,144, it is generated from a consumer process.

7.   It would have been obvious to one of ordinary skill in the art at the time the invention was

made to generate the work notification from a consumer resource provider on behalf of the

consumer process because the addition of the feature, a consumer resource provider, into the

claims do not change the scope or the aspect of the invention.

8.   The differences between claims 1, 2, 6, and 7, and claims 1, 2, 6, and 7 of Patent

#6,598,144 is that the mapping value is not "specified as user mode access" and the consumer

process is not specifically a "user-mode" consumer process.

9.   It would have been obvious to one of ordinary skill in the art at the time the invention was

made to specify the mapping value as user mode access and for the consumer process to be

specifically user-mode consumer process because doing so provides memory protection, where

user-mode access may only allow access to memory mapped by its owns virtual address space

and not of another process' virtual memory.

10.   The difference between claims 2 and 10, and claims 2 and 10 of Patent #6,598,144 is

that the execution is in context relative to an identified one of the user-mode consumer

processes.

11.   It would have been obvious to one of ordinary skill in the art at the time the invention was

made to execute in context relative to an identified user-mode consumer process because doing

so provides memory protection, where user-mode access may only allow access to memory

mapped by its owns virtual address space and not of another process' virtual memory.

Conclusion

12.   A shortened statutory period for reply to this Office action is set to expire THREE

MONTHS from the mailing date of this action.

13.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Joshua Joo whose telephone number is 571 272-3966 and fax number is

571 273-3966. The examiner can normally be reached on Monday to Thursday 8 to 5:30.

14.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John A Follansbee can be reached on 571 272-3964.

15.   Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

April 6, 2005
JJ

JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100